

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**THOMAS ANDERSON,**

Plaintiff,

v.

**UNITED AIRLINES, INC.,**

Defendant.

No. 23-cv-00989

Judge Matthew F. Kennelly

**UNITED AND ALPA’S MOTION TO REASSIGN  
RELATED CASES PURSUANT TO LOCAL RULE 40.4**

Pursuant to Local Rule 40.4, Defendants United Airlines, Inc. (“United”) and Air Line Pilots Association, International (“ALPA”) (collectively “Defendants”) jointly request that *Hassett v. United Airlines, Inc.*, No. 23-cv-14592<sup>1</sup>; *Engstrom, Shaw v. United Airlines, Inc., and Air Line Pilots Association, International*, No. 23-cv-15792; and *Oka v. United Airlines, Inc. and Air Line Pilots Association, International*, No. 23-cv-15793 be reassigned to the instant calendar.

1. Six cases involving challenges to United’s COVID-19 vaccine policies and procedures, and ALPA’s responses to them, are now (or were) pending in this Court. *See Ellis v. United*, No. 23-cv-123 (alleging discrimination under the Americans with Disabilities Act by United); *Anderson, et al. v. United, et al.*, No. 23-cv-989 (various claims against United challenging its COVID-19 vaccine policy, including, *inter alia*, failure to accommodate under Title VII, invasion of privacy, negligence, and the Genetic Information Non-Discrimination Act); *Wickstrom, et al. v. ALPA*, No. 23-cv-2631 (alleging breach of duty of fair representation against ALPA); *Hassett v. United*, No. 23-cv-14592 (alleging discrimination by United under ADA, Title

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<sup>1</sup> Because ALPA is not a defendant in *Hassett*, the request to transfer *Hassett* is made solely by United.

VII, and the Arizona Civil Rights Act); *Engstrom, Shaw v. United, ALPA*, No. 23:-cv-15792 (alleging: (1) discrimination against United under the Florida Civil Rights Act (“FCRA”) for disability and religious discrimination, failure to accommodate, and retaliation; (2) discrimination, retaliation, and failure to accommodate by ALPA in violation of Title VII, the Americans with Disability Act, and the FCRA, as well as intentional infliction of emotional distress and civil conspiracy under Florida law); *Oka v. United, ALPA*, No. 23-cv-15793 (alleging discrimination against United and ALPA under Title VII and the Kentucky Civil Rights Act and breach of the duty of fair representation against ALPA) (collectively the “Cases”).

2. Several of these matters were transferred here from the courts where they were filed, with the transferring courts noting that *Oka, Engstrom*, and *Hassett* are related to *Wickstrom, Anderson*, and *Ellis*.

3. On November 27, 2023, counsel for United sent counsel for the Plaintiffs in *Oka, Engstrom*, and *Hassett* an email, with counsel for ALPA included. In the email, United explained that each case is related to *Ellis, Anderson*, and *Wickstrom* and sought the agreement of the *Oka, Engstrom*, and *Hassett* lawyers to ALPA and United’s Local Rule 40.4 Motion to Reassign the cases. Counsel for *Hassett* and Plaintiffs’ counsel in *Engstrom* have objected to the Motion. Counsel for *Oka* has not responded as of the filing of this Motion.

4. Pursuant to Local Rule 40.4, Defendants respectfully request that the Court transfer *Oka, Engstrom*, and *Hassett* to the calendar where the lowest numbered case, *Ellis*, was filed, and where *Anderson* and *Wickstrom* are pending. The Cases pending in this Court are related within the meaning of Local Rule 40.4(a), and they also satisfy the criteria of Local Rule 40.4(b), as the handling of all of the cases by the same judge is likely to result in a substantial saving of judicial time and effort, the earlier cases have not progressed to a point where designating a later filed case

as related would delay the proceedings, and the cases are susceptible of disposition in a single proceeding.

WHEREFORE Defendants United Airlines, Inc. and Air Line Pilots Association, International respectfully request that *Oka*, *Engstrom*, and *Hassett*<sup>2</sup> be transferred to the calendar where the lowest numbered related case was filed.

Respectfully submitted,

UNITED AIRLINES, INC.

By: /s/ Angela R. Huisingh

One of United's Attorneys

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<sup>2</sup> Because ALPA is not a defendant in *Hassett*, the request to transfer *Hassett* is made solely by United.

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Dated: December 4, 2023

**CERTIFICATE OF SERVICE**

Angela R. Huisingh, an attorney, hereby certifies that on December 4, 2023, she caused a copy of the foregoing *ALPA and United's Motion to Reassign Related Cases* to be electronically filed with the Clerk of the Court, using the court's CM/ECF system, and by causing same to be served electronically to counsel listed below:

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